IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 1343 of 1995

Between:

1. N.Naganna S/o. Subbayya, H.No.36/46-57 Chittari Street,
   Kurnool.
2. G.Pullaiah S/o. Ayyappa, H.No.36/51 Chittari Street,
   Kurnool.
3. C.Moddeyya S/o. Moddayya, H.No.36/52 Chittari Street,
   Kurnool.
4. B.Muneppa S/o. Yellappa, H.No.36/52-A Chittari Street,
   Kurnool.
5. K.Srinivasulu S/o. Dibbanna, H.No.36/46-71 Chittari Street,
   Kurnool.

..... PETITIONERS

AND

1. The Secretary, Govt. of Andhra Pradesh,

Revenue Department,
Secretariat, HYDERABAD

2. The District Collector, KURNOOL.
3. The Revenue Divisional Officer,
   KURNOOL.

4. The Mandal Revenue Officer,
   KURNOOL.
5. President, Pesh Imam and Trustee of Qamer Mosque
   KURNOOL.

6. The Municipal Commissioner
   KURNOOL Municipality.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or direction more particularly in the nature of a *Writ of Mandamus* declaring the alienation of 900 sq.ft. of open space in SY.No.35/5 C1A1 Street Sy.No.565 of Kurnool town and Mandal in favour of Pesh Imam and Trustee of Qamer Mosque, Kurnool, in G.O.Ms.No.331 Rev. (Asn-4) Dept. dt: 8/4/93 and all consequential order thereto as arbitrary, illegal and therefore to set aside the said G.O. and consequential order thereto and restrain the respondents from making any constructions to obstruct access to the public to the site in question and grant such other and further reliefs as the Hon'ble court deems fit and proper in the circumstances of the case and in the interest of justice.

Counsel for the Petitioner: MR.P.MALLIKARJUNA SASTRY

Counsel for the Respondents: G.P. for Revenue

The Court made the following:

ORDER:

Learned counsel for the petitioners represents that the cause in this writ petition does not survive and has become infructuous.

Recording the same, the Writ Petition is dismissed as having become infructuous. No costs.

N.V. RAMANA, J

Date: July 19, 2004.

KSN/KSR

ASSISTANT REGISTRAR

To

1. The Secretary, Govt. of Andhra Pradesh,

Revenue Department,
Secretariat, HYDERABAD

2. The District Collector, KURNOOL.
3. The Revenue Divisional Officer,
KURNOOL.

4. The Mandal Revenue Officer,
KURNOOL.
5. President, Pesh Imam and Trustee of Qamer Mosque
KURNOOL.

6. The Municipal Commissioner
KURNOOL Municipality.

7. Two C. Cs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT),

8. Two C.D. copies